

Amendments to the Drawings:

The attached replacement sheets of drawings includes changes to Figs. 8, 9 and 10 and replace the original sheets including Figs. 8, 9 and 10.

As requested by the Examiner, Figures 8, 9 and 10 have been labeled as Prior Art.

Attachments following last page of this Amendment:

Replacement Sheets (two (2) pages)

REMARKS

Claims 1, 3-5, 8, 11-14 and 16 are pending for further examination. Claims 1, 3-5, 11 and 16 have been amended.

Claim 1 has been amended to include the features of dependent claim 2. Claim 4 has been rewritten in independent form and now includes the features of the original claim 1. No new matter has been added. Applicants respectfully request entry of these amendments.

The specification has been amended. Minor amendments have been made to several paragraphs, and paragraph 19 has been amended to include portions of paragraphs 15 and 17. No new matter has been added. Applicants respectfully request entry of these amendments

As required by the Office action, Figures 8-10 have been labeled as prior art.

Elections/Restrictions

Applicants affirm the provisional election made without traverse to prosecute the invention of Species 1 (claims 1-8 and 11-16).

Priority

Applicants claim foreign priority based on JP2003-290229 filed in Japan on August 8, 2003. A copy of the PCT/IB/304 form has been included. Applicants request that the Examiner Acknowledge the claim of priority and confirm that the Patent and Trademark Office has received all required items for the claim of priority.

Claim Rejections

Claims 1 and 4 were rejected under 35 U.S.C. § 112, second paragraph, as indefinite. The Office action alleges that “substantially one-half” and “substantially equal” do not define a

specific amount of acceptable variance. Applicants respectfully disagree and request reconsideration of claims 1 and 4.

The MPEP requires that the claims “define the patentable subject matter with a reasonable degree of particularity and distinctness.” (*See* MPEP § 2173.02). The distinctness of the claim language must be analyzed in light of the patent application disclosure, the teachings of the prior art and how a person of ordinary skill in the art would interpret the claim language at the time of the invention. (*Id.*). Furthermore, the claims must be interpreted in a manner consistent with the specification and consistent with how a person of ordinary skill in the art would understand them (*see* MPEP § 2111).

The specification discloses that “the threshold voltage of the three-state inverter Iva is approximately equal to $V_{DD}/2$.” (*see* page 18, lines 7-8). Therefore, the specification provides sufficient notice to a person of ordinary skill in the art as to what is covered by the claim, and the phrase “substantially one-half” and “substantially equal” should be interpreted in a manner consistent with what the specification discloses. In other words, the phrase “substantially one-half of a supply voltage fed in” in claim 1 and the phrase “substantially equal to one-half of the supply voltage fed in” in claim 4 should be interpreted consistently with the specification’s disclosure that “the threshold voltage of the three-state inverter Iva is approximately equal to $V_{DD}/2$.”

In light of the foregoing remarks, therefore, the Applicants respectfully requests that the Examiner withdraw the rejection of claims 1 and 4 as indefinite.

Claims 1-8 and 11-16 were rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 5,063,646 (Higuchi et al.).

Claim 1 has been amended and recites that the second three-state inverter has an input terminal that “is connected to a state control terminal thereof.” An example of this feature can be found in FIG. 1 and on page 16, paragraph 33. The Examiner alleges that the Higuchi et al. patent discloses that the input b of the alleged second three-state inverter (45, 46, 47 and 48) is connected to the state control terminal (*see* page 4, paragraph 9 of Office action). Applicants

respectfully disagree. As seen in Figure 6, the Higuchi et al. patent discloses that the input b is connected to the gate of p-channel transistor 46 and n-channel transistor 47 (*i.e.*, the input terminal), and the control signal Ci is provided to the gate of p-channel transistor 45 (*i.e.*, the state control terminal) (*see* Fig. 6 and col 6, lines 24-28). Therefore, the Higuchi et al. patent does not disclose the claimed feature of connecting the input terminal of the second three-state inverter to its state control terminal. This feature would not have been obvious to a person of ordinary skill in the art at the time of the invention.

In light of the foregoing remarks, the Applicants respectfully request that the rejection of claim 1 as unpatentable over the Higuchi et al. patent be withdrawn.

The dependent claims should be patentable for at least the reasons discussed above with respect to claim 1. Furthermore, the dependent claims recite additional features that make those claims independently patentable.

For similar reasons as described above in connection with claim 1, Applicants respectfully request that the rejection of claim 4 as unpatentable over the Higuchi et al. patent be withdrawn. In particular, claim 4 recites that the second three-state inverter has an input terminal that is connected to the state control terminal through a second inverter. As described above in connection with claim 1, the Higuchi et al. patent does not disclose or suggest this feature. Furthermore, the Higuchi et al. patent does not disclose the configuration of the first three-state inverter as recited in claim 4. Therefore, Applicants respectfully request that the rejection of claim 4 as unpatentable over the Higuchi et al. patent be withdrawn.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or

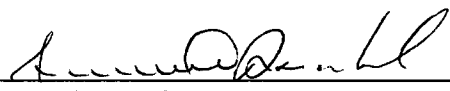
other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

A petition for an extension of time under 37 CFR §1.136 to extend the time to respond to the Office action for 1 month(s) to and including September 15, 2008 is concurrently filed with this Amendment in Reply To Action of May 13, 2008.

Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: 9/15/08



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PATENT COOPERATION TREATY

PCT

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SUBMISSION OR TRANSMITTAL
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International application No. PCT/JP2004/011170	International filing date (day/month/year) 04 August 2004 (04.08.2004)
International publication date (day/month/year) Not yet published	Priority date (day/month/year) 08 August 2003 (08.08.2003)
Applicant ROHM CO., LTD et al	

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Priority date	Priority application No.	Country or regional Office or PCT receiving Office	Date of receipt of priority document
08 Augu 2003 (08.08.2003)	2003-290229	JP	07 Octo 2004 (07.10.2004)

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